

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SERGIO FRANCISCO SANDOVAL,

Defendant.

CASE NO. CR19-199 RAJ

ORDER VACATING TRIAL DATE
AND SETTING STATUS
CONFERENCE

THIS COURT having considered the parties' joint motion for a continuance of the trial date and the facts set forth therein, and General Order 07-20 of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19, which is incorporated herein by reference, hereby FINDS as follows:

1. In light of the recommendations made by the Centers for Disease Control and Prevention (CDC) and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of this disease as well as the lack of the type of personal protective equipment necessary to ensure the health and safety of all participants it is not possible at this time to proceed with a jury trial.

- 1 2. Further, because of the recommendations that individuals at higher risk of
2 contracting this disease –including individuals with underlying health conditions,
3 individuals age 60 and older, and individuals who are pregnant – avoid large
4 groups of people, at this time, it would be difficult, if not impossible, to get a jury
5 pool that would represent a fair cross section of the community. Based on the
6 recommendations it would also be medically inadvisable to do so.
7
- 8 3. As a result, the failure to grant a continuance of the trial date in this case would
9 likely result in a miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A),
10 the ends of justice served by continuing the trial in this case outweigh the best
11 interest of the public and the defendant to a speedy trial.

12 IT IS THEREFORE ORDERED that the parties' joint motion (Dkt. #25) is
13 GRANTED. The trial date of June 1, 2020 is VACATED. The parties shall participate in a
14 status conference on **July 24, 2020, at 11:00 a.m.** The purpose of the status conference will
15 be discuss a date on which the trial can be scheduled and take place without any potential
16 impact on the health of all participants or the community.

17 IT IS FURTHER ORDERED that the period time from the date of this order up to and
18 including the date to be set for the trial at the status conference, shall be excludable time
19 pursuant to 18 U.S.C. § 3161.
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21 DATED this 8th day of May, 2020.

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24 The Honorable Richard A. Jones
25 United States District Judge
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